

IX. APPENDIX

PENALTY COMPUTATION WORKSHEET

Company Name: Commercial Disposal
Regulation Violated 310 CHR 30.542 / 40 CFR 15.73 (separate operating records)

Assessments for each violation should be determined on separate worksheets and totalled.

(If more space is needed, attach separate sheet.)

Part I - Seriousness of Violation Penalty

1. Potential for Harm: moderate
2. Extent of Deviation: moderate
3. Matrix Cell Range: \$7,949 - \$5,000
Penalty Amount Chosen: \$6,500
Justification for Penalty Amount Chosen: outpoint
4. Per-Day Assessment: \$6,500

Part II - Penalty Adjustments

	<u>Percentage Change*</u>	<u>Dollar Amount</u>
1. Good faith efforts to comply/lack of good faith:	_____	_____
2. Degree of willfulness and/or negligence:	_____	_____
3. History of noncompliance:	_____	_____
4. Other unique factors:	_____	_____
5. Justification for Adjustments:	_____	_____

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

PENALTY COMPUTATION WORKSHEET (cont.)

6. Adjusted Per-day
Penalty (Line 4,
Part I + Lines
1-4, Part II):

7. Number of Days of
Violation:-

8. Multi-day Penalty
(Number of days x
Line 6, Part II):

9. Economic Benefit of
Noncompliance:

Justification:

10. Total (Lines 8 + 9, Part II):

11. Ability to Pay Adjustment:

Justification for
Adjustment:

12. Total Penalty Amount
(must not exceed \$25,000
per day of violation):

_____ 6,500

IX. APPENDIX

PENALTY COMPUTATION WORKSHEET

Company Name: Commercial Disposal
Regulation Violated (no waste analysis and waste analysis plan)
310 CHR 30.513 (1) and (2)

Assessments for each violation should be determined on separate worksheets and totalled.

(If more space is needed, attach separate sheet.)

Part I - Seriousness of Violation Penalty

1. Potential for Harm: moderate
2. Extent of Deviation: Moderate
3. Matrix Cell Range: \$7,999 - \$5,000
Penalty Amount Chosen: 6,500
Justification for Penalty Amount Chosen: mid point
\$ 6,500
4. Per-Day Assessment:

Part II - Penalty Adjustments

	<u>Percentage Change*</u>	<u>Dollar Amount</u>
1. Good faith efforts to comply/lack of good faith:	_____	_____
2. Degree of willfulness and/or negligence:	_____	_____
3. History of noncompliance:	_____	_____
4. Other unique factors:	_____	_____
5. Justification for Adjustments:	_____	_____

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

Major/major - no waste analysis plan for SE handling reactive wastes
minor/minor - generator of nonreactive wastes year after year

PENALTY COMPUTATION WORKSHEET (cont.)

6. Adjusted Per-day
Penalty (Line 4,
Part I + Lines
1-4, Part II):

7. Number of Days of
Violation:

8. Multi-day Penalty
(Number of days x
Line 6, Part II):

9. Economic Benefit of
Noncompliance:

Justification:

10. Total (Lines 8 + 9, Part II):

11. Ability to Pay Adjustment:

Justification for
Adjustment:

12. Total Penalty Amount
(must not exceed \$25,000
per day of violation):

\$6,500

IX. APPENDIX

PENALTY COMPUTATION WORKSHEET

Company Name: Commercial Disposal
Regulation Violated Failure to properly post site security
310 30.514 (2)(b)(1)

Assessments for each violation should be determined on separate worksheets and totalled.

(If more space is needed, attach separate sheet.)

Part I - Seriousness of Violation Penalty

1. Potential for Harm: minor
2. Extent of Deviation: minor
3. Matrix Cell Range: 499 - 100
Penalty Amount Chosen: 300
Justification for Penalty Amount Chosen: midpoint
4. Per-Day Assessment: \$300

Part II - Penalty Adjustments

	<u>Percentage Change*</u>	<u>Dollar Amount</u>
1. Good faith efforts to comply/lack of good faith:	<u> </u>	<u> </u>
2. Degree of willfulness and/or negligence:	<u> </u>	<u> </u>
3. History of noncompliance:	<u> </u>	<u> </u>
4. Other unique factors:	<u> </u>	<u> </u>
5. Justification for Adjustments:	<u> </u>	<u> </u>

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

⊗ This is based on historic assessment

PENALTY COMPUTATION WORKSHEET (cont.)

6. Adjusted Per-day Penalty (Line 4, Part I + Lines 1-4, Part II):	_____
7. Number of Days of Violation:	_____
8. Multi-day Penalty (Number of days x Line 6, Part II):	_____
9. Economic Benefit of Noncompliance:	_____
Justification:	
10. Total (Lines 8 + 9, Part II):	_____
11. Ability to Pay Adjustment:	
Justification for Adjustment:	_____
12. Total Penalty Amount (must not exceed \$25,000 per day of violation):	_____

IX. APPENDIX

PENALTY COMPUTATION WORKSHEET

Company Name: Commercial Disposal
Regulation Violated Inadequate inspection plan
310 CMR 30.515(2)

Assessments for each violation should be determined on separate worksheets and totalled.

(If more space is needed, attach separate sheet.)

Part I - Seriousness of Violation Penalty

1. Potential for Harm: minor
2. Extent of Deviation: minor
3. Matrix Cell Range: \$499 \$100
- Penalty Amount Chosen: midpoint
- Justification for Penalty Amount Chosen:
4. Per-Day Assessment: \$300

Part II - Penalty Adjustments

	<u>Percentage Change*</u>	<u>Dollar Amount</u>
1. Good faith efforts to comply/lack of good faith:	<u> </u>	<u> </u>
2. Degree of willfulness and/or negligence:	<u> </u>	<u> </u>
3. History of noncompliance:	<u> </u>	<u> </u>
4. Other unique factors:	<u> </u>	<u> </u>
5. Justification for Adjustments:		

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

PENALTY COMPUTATION WORKSHEET (cont.)

6. Adjusted Per-day Penalty (Line 4, Part I + Lines 1-4, Part II):	_____
7. Number of Days of Violation:	_____
8. Multi-day Penalty (Number of days x Line 6, Part II):	_____
9. Economic Benefit of Noncompliance:	_____
Justification:	
10. Total (Lines 8 + 9, Part II):	_____
11. Ability to Pay Adjustment:	
Justification for Adjustment:	_____
12. Total Penalty Amount (must not exceed \$25,000 per day of violation):	_____

IX. APPENDIX

PENALTY COMPUTATION WORKSHEET

Company Name: Commercial Disposal

Regulation Violated 310 CMR 515 (1)(C) Failure to conduct inspections

Assessments for each violation should be determined on separate worksheets and totalled.

(If more space is needed, attach separate sheet.)

Part I - Seriousness of Violation Penalty

1. Potential for Harm: minor
2. Extent of Deviation: moderate
3. Matrix Cell Range: \$1,499 - \$500
Penalty Amount Chosen: \$1,000
Justification for Penalty Amount Chosen: midpoint
4. Per-Day Assessment: _____

Part II - Penalty Adjustments

	<u>Percentage Change*</u>	<u>Dollar Amount</u>
1. Good faith efforts to comply/lack of good faith:	<u>N/A</u>	<u>N/A</u>
2. Degree of willfulness and/or negligence:	<u>N/A</u>	<u>N/A</u>
3. History of noncompliance:	<u>25%</u>	<u>\$250</u>
4. Other unique factors:	<u>—</u>	<u>—</u>
5. Justification for Adjustments:	<u>violation observed during previous state inspection</u>	

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

Major - extent of deviation - no log ; no inspection conducted
 minor - extent of deviation - a log was used but previous inspections not recorded (ie 1 week)

PENALTY COMPUTATION WORKSHEET (cont.)

6. Adjusted Per-day
Penalty (Line 4,
Part I + Lines
1-4, Part II):

7. Number of Days of
Violation:

8. Multi-day Penalty
(Number of days x
Line 6, Part II):

9. Economic Benefit of
Noncompliance:

Justification:

10. Total (Lines 8 + 9, Part II):

11. Ability to Pay Adjustment:

Justification for
Adjustment:

12. Total Penalty Amount
(must not exceed \$25,000
per day of violation):

IX. APPENDIX

PENALTY COMPUTATION WORKSHEET

Company Name: Commercial Disposal

Regulation Violated 310 CMR 30.516(2) - Failure to develop personnel training plan.

Assessments for each violation should be determined on separate worksheets and totalled.

(If more space is needed, attach separate sheet.)

Part I - Seriousness of Violation Penalty

1. Potential for Harm: Minor
2. Extent of Deviation: Moderate
3. Matrix Cell Range: 1,499 - 500
- Penalty Amount Chosen: 8,000
- Justification for Penalty Amount Chosen: midpoint
4. Per-Day Assessment: 1000

Part II - Penalty Adjustments

	<u>Percentage Change*</u>	<u>Dollar Amount</u>
1. Good faith efforts to comply/lack of good faith:	<u>N/A</u>	<u>N/A</u>
2. Degree of willfulness and/or negligence:	<u>N/A</u>	<u>N/A</u>
3. History of noncompliance:	<u>25%</u>	<u>250</u>
4. Other unique factors:		
5. Justification for Adjustments:	<u>violation noted during previous state inspection.</u>	

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

major - extent of deviation - o/o had provided no personnel training; no thought given to training
mod - " " " - o/o had provided training but not formalized
minor - " " " - o/o had formal training plan - but all required elements not included

PENALTY COMPUTATION WORKSHEET (cont.)

6. Adjusted Per-day
Penalty (Line 4,
Part I + Lines
1-4, Part II):

7. Number of Days of
Violation:

8. Multi-day Penalty
(Number of days x
Line 6, Part II):

9. Economic Benefit of
Noncompliance:

Justification:

10. Total (Lines 8 + 9, Part II):

11. Ability to Pay Adjustment:

Justification for
Adjustment:

12. Total Penalty Amount
(must not exceed \$25,000
per day of violation):

IX. APPENDIX

PENALTY COMPUTATION WORKSHEET

Company Name: Commercial Disposal
Regulation Violated Failure to document personnel training
310 CMR 30.516(1)

Assessments for each violation should be determined on separate worksheets and totalled.

(If more space is needed, attach separate sheet.)

Part I - Seriousness of Violation Penalty

1. Potential for Harm: minor
2. Extent of Deviation: minor
3. Matrix Cell Range: 499 to 100
- Penalty Amount Chosen: 300
- Justification for Penalty Amount Chosen:
4. Per-Day Assessment: 300

Part II - Penalty Adjustments

	<u>Percentage Change*</u>	<u>Dollar Amount</u>
1. Good faith efforts to comply/lack of good faith:	<u>N/A</u>	<u>N/A</u>
2. Degree of willfulness and/or negligence:	<u>N/A</u>	<u>N/A</u>
3. History of noncompliance:	<u>25%</u>	<u>75</u>
4. Other unique factors:	<u>N/A</u>	<u>N/A</u>
5. Justification for Adjustments:		

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

This fine is based on historic assessment.

→ 375

PENALTY COMPUTATION WORKSHEET (cont.)

6. Adjusted Per-day
Penalty (Line 4,
Part I + Lines
1-4, Part II):

7. Number of Days of
Violation:

8. Multi-day Penalty
(Number of days x
Line 6, Part II):

9. Economic Benefit of
Noncompliance:

Justification:

10. Total (Lines 8 + 9, Part II):

11. Ability to Pay Adjustment:

Justification for
Adjustment:

12. Total Penalty Amount
(must not exceed \$25,000
per day of violation):

IX. APPENDIX

PENALTY COMPUTATION WORKSHEET

Company Name: Commercial Disposal
Regulation Violated Failure to properly post areas where ignitable wastes are stored
310 CHR 30.560(2)

Assessments for each violation should be determined on separate worksheets and totalled.

(If more space is needed, attach separate sheet.)

Part I - Seriousness of Violation Penalty

1. Potential for Harm: minor
2. Extent of Deviation: minor
3. Matrix Cell Range: 499 to 100
- Penalty Amount Chosen: \$ 300
- Justification for Penalty Amount Chosen: mid point
4. Per-Day Assessment: 300

Part II - Penalty Adjustments

	<u>Percentage Change*</u>	<u>Dollar Amount</u>
1. Good faith efforts to comply/lack of good faith:	<u> </u>	<u> </u>
2. Degree of willfulness and/or negligence:	<u> </u>	<u> </u>
3. History of noncompliance:	<u> </u>	<u> </u>
4. Other unique factors:	<u> </u>	<u> </u>
5. Justification for Adjustments:	<u> </u>	<u> </u>

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

This line is based on historic assessment. ; Facility had some signs.

PENALTY COMPUTATION WORKSHEET (cont.)

6. Adjusted Per-day
Penalty (Line 4,
Part I + Lines
1-4, Part II):

7. Number of Days of
Violation:

8. Multi-day Penalty
(Number of days x
Line 6, Part II):

9. Economic Benefit of
Noncompliance:

Justification:

10. Total (Lines 8 + 9, Part II):

11. Ability to Pay Adjustment:

Justification for
Adjustment:

12. Total Penalty Amount
(must not exceed \$25,000
per day of violation):

IX. APPENDIX

PENALTY COMPUTATION WORKSHEET

Company Name: Commercial Disposal
Regulation Violated 310 Inadequate Contingency plan. CMR 30.521 (8), (9), (10) and (11)

Assessments for each violation should be determined on separate worksheets and totalled.

(If more space is needed, attach separate sheet.)

Part I - Seriousness of Violation Penalty

1. Potential for Harm: minor
2. Extent of Deviation: minor
3. Matrix Cell Range: 499-100
Penalty Amount Chosen: 300
Justification for Penalty Amount Chosen: mid point
4. Per-Day Assessment: 300

Part II - Penalty Adjustments

- | | <u>Percentage Change*</u> | <u>Dollar Amount</u> |
|---|-----------------------------|-----------------------------|
| 1. Good faith efforts to comply/lack of good faith: | <u> </u> | <u> </u> |
| 2. Degree of willfulness and/or negligence: | <u> </u> | <u> </u> |
| 3. History of noncompliance: | <u> </u> | <u> </u> |
| 4. Other unique factors: | <u> </u> | <u> </u> |
| 5. Justification for Adjustments: | <u> </u> | <u> </u> |

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

PENALTY COMPUTATION WORKSHEET (cont.)

6. Adjusted Per-day
Penalty (Line 4,
Part I + Lines
1-4, Part II):

7. Number of Days of
Violation:

8. Multi-day Penalty
(Number of days x
Line 6, Part II):

9. Economic Benefit of
Noncompliance:

Justification:

10. Total (Lines 8 + 9, Part II):

11. Ability to Pay Adjustment:

Justification for
Adjustment:

12. Total Penalty Amount
(must not exceed \$25,000
per day of violation):

IX. APPENDIX

PENALTY COMPUTATION WORKSHEET

Company Name: Commercial Disposal
Regulation Violated 310 CMR 30.099(6)(6) Inadequate closure plan

Assessments for each violation should be determined on separate worksheets and totalled.

(If more space is needed, attach separate sheet.)

Part I - Seriousness of Violation Penalty

1. Potential for Harm: minor
2. Extent of Deviation: minor
3. Matrix Cell Range: 499-100
Penalty Amount Chosen: 300
Justification for Penalty Amount Chosen: midpoint
4. Per-Day Assessment: _____

Part II - Penalty Adjustments

- | | <u>Percentage Change*</u> | <u>Dollar Amount</u> |
|---|---------------------------|----------------------|
| 1. Good faith efforts to comply/lack of good faith: | _____ | _____ |
| 2. Degree of willfulness and/or negligence: | _____ | _____ |
| 3. History of noncompliance: | _____ | _____ |
| 4. Other unique factors: | _____ | _____ |
| 5. Justification for Adjustments: | _____ | _____ |

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

PENALTY COMPUTATION WORKSHEET (cont.)

6. Adjusted Per-day Penalty (Line 4, Part I + Lines 1-4, Part II):	_____
7. Number of Days of Violation:	_____
8. Multi-day Penalty (Number of days x Line 6, Part II):	_____
9. Economic Benefit of Noncompliance:	_____
Justification:	
10. Total (Lines 8 + 9, Part II):	_____
11. Ability to Pay Adjustment:	
Justification for Adjustment:	_____
12. Total Penalty Amount (must not exceed \$25,000 per day of violation):	_____

IX. APPENDIX

PENALTY COMPUTATION WORKSHEET

Company Name: Commercial Disposal
Regulation Violated Improper MAN of Containers
310 CMR 30.099(6)(b)

Assessments for each violation should be determined on separate worksheets and totalled.

(If more space is needed, attach separate sheet.)

Part I - Seriousness of Violation Penalty

1. Potential for Harm: moderate
2. Extent of Deviation: minor
3. Matrix Cell Range: 10,999 - 8,000
Penalty Amount Chosen: \$4,000
Justification for Penalty Amount Chosen: wid point
4. Per-Day Assessment: \$4,000

Part II - Penalty Adjustments

	<u>Percentage Change*</u>	<u>Dollar Amount</u>
1. Good faith efforts to comply/lack of good faith:	<u> </u>	<u> </u>
2. Degree of willfulness and/or negligence:	<u> </u>	<u> </u>
3. History of noncompliance:	<u> </u>	<u> </u>
4. Other unique factors:	<u> </u>	<u> </u>
5. Justification for Adjustments:	<u> </u>	<u> </u>

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

harm

major - actual leaking drums

minor - drums in poor condition stored under Deviation

major - all drums in poor condition

mod - a majority of drums in poor condition

PENALTY COMPUTATION WORKSHEET (cont.)

6. Adjusted Per-day
Penalty (Line 4,
Part I + Lines
1-4, Part II):

7. Number of Days of
Violation:

8. Multi-day Penalty
(Number of days x
Line 6, Part II):

9. Economic Benefit of
Noncompliance:

Justification:

10. Total (Lines 8 + 9, Part II):

11. Ability to Pay Adjustment:

Justification for
Adjustment:

12. Total Penalty Amount
(must not exceed \$25,000
per day of violation):

IX. APPENDIX

PENALTY COMPUTATION WORKSHEET

Company Name: Commercial Disposal

Regulation Violated 310 CMR 30.099 (c)(c) incompatible wastes

Assessments for each violation should be determined on separate worksheets and totalled.

(If more space is needed, attach separate sheet.)

Part I - Seriousness of Violation Penalty

1. Potential for Harm: minor

2. Extent of Deviation: major

3. Matrix Cell Range: 2,999 - 1,500

Penalty Amount Chosen: 2250

Justification for Penalty Amount Chosen: midpoint

4. Per-Day Assessment: 2,250

Part II - Penalty Adjustments

	<u>Percentage Change*</u>	<u>Dollar Amount</u>
1. Good faith efforts to comply/lack of good faith:	<u> </u>	<u> </u>
2. Degree of willfulness and/or negligence:	<u> </u>	<u> </u>
3. History of noncompliance:	<u> </u>	<u> </u>
4. Other unique factors:	<u> </u>	<u> </u>
5. Justification for Adjustments:	<u> </u>	<u> </u>

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

harm

- major - incompatible waste stored on site (adjacent)
- med - incamp waste stored on site but clearly separate
- minor - incompatible wastes could be accepted but no means to separate

PENALTY COMPUTATION WORKSHEET (cont.)

6. Adjusted Per-day
Penalty (Line 4,
Part I + Lines
1-4, Part II):

7. Number of Days of
Violation:

8. Multi-day Penalty
(Number of days x
Line 6, Part II):

9. Economic Benefit of
Noncompliance:

Justification:

10. Total (Lines 8 + 9, Part II):

11. Ability to Pay Adjustment:

Justification for
Adjustment:

12. Total Penalty Amount
(must not exceed \$25,000
per day of violation):

IX. APPENDIX

PENALTY COMPUTATION WORKSHEET

Company Name: Commercial Disposal
Regulation Violated improper storage of ignitable wastes
310 CHR 30.099 (b) (c)

Assessments for each violation should be determined on separate worksheets and totalled.

(If more space is needed, attach separate sheet.)

Part I - Seriousness of Violation Penalty

1. Potential for Harm: minor
2. Extent of Deviation: major
3. Matrix Cell Range: 2,999 - 1500
Penalty Amount Chosen: 2250
Justification for Penalty Amount Chosen: midpoint
4. Per-Day Assessment: 2,250

Part II - Penalty Adjustments

	<u>Percentage Change*</u>	<u>Dollar Amount</u>
1. Good faith efforts to comply/lack of good faith:	_____	_____
2. Degree of willfulness and/or negligence:	_____	_____
3. History of noncompliance:	_____	_____
4. Other unique factors:	_____	_____
5. Justification for Adjustments:	_____	_____

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

harm.

major - ignitable waste stored next to area where electrical equipment is used actively
major - ignitable waste stored next to area where elect. equip is being used
minor - ~~ign~~ electrical equipment is hardly ever used

PENALTY COMPUTATION WORKSHEET (cont.)

6. Adjusted Per-day Penalty (Line 4, Part I + Lines 1-4, Part II):	_____
7. Number of Days of Violation:	_____
8. Multi-day Penalty (Number of days x Line 6, Part II):	_____
9. Economic Benefit of Noncompliance:	_____
Justification:	
10. Total (Lines 8 + 9, Part II):	_____
11. Ability to Pay Adjustment:	
Justification for Adjustment:	_____
12. Total Penalty Amount (must not exceed \$25,000 per day of violation):	_____

IX. APPENDIX

PENALTY COMPUTATION WORKSHEET

Company Name: Commercial Disposal

Regulation Violated 310 CHR 30.099(1) - Exceed Part A design capacity

Assessments for each violation should be determined on separate worksheets and totalled.

(If more space is needed, attach separate sheet.)

Part I - Seriousness of Violation Penalty

1. Potential for Harm: minor

2. Extent of Deviation: major

3. Matrix Cell Range: 2,999 - 1,500

Penalty Amount Chosen: 2250

Justification for Penalty Amount Chosen: midpoint

4. Per-Day Assessment: 2250

Part II - Penalty Adjustments

	<u>Percentage Change*</u>	<u>Dollar Amount</u>
1. Good faith efforts to comply/lack of good faith:	<u> </u>	<u> </u>
2. Degree of willfulness and/or negligence:	<u> </u>	<u> </u>
3. History of noncompliance:	<u> </u>	<u> </u>
4. Other unique factors:	<u> </u>	<u> </u>
5. Justification for Adjustments:	<u> </u>	<u> </u>

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

→ facility Part A
Capacity ≈ 58
drums Day of
inspection ≈ 120
drums

PENALTY COMPUTATION WORKSHEET (cont.)

6. Adjusted Per-day
Penalty (Line 4,
Part I + Lines
1-4, Part II):

7. Number of Days of
Violation:

8. Multi-day Penalty
(Number of days x
Line 6, Part II):

9. Economic Benefit of
Noncompliance:

Justification:

10. Total (Lines 8 + 9, Part II):

11. Ability to Pay Adjustment:

Justification for
Adjustment:

12. Total Penalty Amount
(must not exceed \$25,000
per day of violation):

IX. APPENDIX

PENALTY COMPUTATION WORKSHEET

Company Name: Commercial Disposal

Regulation Violated 310 CHR 30.099(8) - Stored wastes not identified on Part A

Assessments for each violation should be determined on separate worksheets and totalled.

(If more space is needed, attach separate sheet.)

Part I - Seriousness of Violation Penalty

1. Potential for Harm: minor
2. Extent of Deviation: major
3. Matrix Cell Range: \$2,999 - \$1,500
- Penalty Amount Chosen: 2250
- Justification for Penalty Amount Chosen: midpoint
4. Per-Day Assessment: 2,250

Part II - Penalty Adjustments

	<u>Percentage Change*</u>	<u>Dollar Amount</u>
1. Good faith efforts to comply/lack of good faith:	<u> </u>	<u> </u>
2. Degree of willfulness and/or negligence:	<u> </u>	<u> </u>
3. History of noncompliance:	<u> </u>	<u> </u>
4. Other unique factors:	<u> </u>	<u> </u>
5. Justification for Adjustments:		

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

The following weren't identified on Part A:

- ① flammable solids
- ② still bottoms
- ③ water soluble oil
- ④ cyanide sol.
- ⑤ ~~per~~ PPT.
- ⑥ Corros. solids.

PENALTY COMPUTATION WORKSHEET (cont.)

6. Adjusted Per-day
Penalty (Line 4,
Part I + Lines
1-4, Part II):

7. Number of Days of
Violation:

8. Multi-day Penalty
(Number of days x
Line 6, Part II):

9. Economic Benefit of
Noncompliance:

Justification:

10. Total (Lines 8 + 9, Part II):

11. Ability to Pay Adjustment:

Justification for
Adjustment:

12. Total Penalty Amount
(must not exceed \$25,000
per day of violation):

IX. APPENDIX

PENALTY COMPUTATION WORKSHEET

Company Name: Commercial Disposal

Regulation Violated 310 C.F.R. 30.514 (2)(b)
No means to control entry

Assessments for each violation should be determined on separate worksheets and totalled.

(If more space is needed, attach separate sheet.)

Part I - Seriousness of Violation Penalty

1. Potential for Harm: moderate
2. Extent of Deviation: Major
3. Matrix Cell Range: 10,990 - 8,000
\$ 9,500
- Penalty Amount Chosen: \$ 9,500
- Justification for Penalty Amount Chosen: midpoint
4. Per-Day Assessment: \$ 9,500

Part II - Penalty Adjustments

- | | <u>Percentage Change*</u> | <u>Dollar Amount</u> |
|---|---------------------------|----------------------|
| 1. Good faith efforts to comply/lack of good faith: | _____ | _____ |
| 2. Degree of willfulness and/or negligence: | _____ | _____ |
| 3. History of noncompliance: | _____ | _____ |
| 4. Other unique factors: | _____ | _____ |
| 5. Justification for Adjustments: | _____ | _____ |

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

Major/major - SF handling reactive wastes in residential area with no fence.
Minor/minor - drum storage area in urban area surrounded by a fence in poor condition

PENALTY COMPUTATION WORKSHEET (cont.)

6. Adjusted Per-day
Penalty (Line 4,
Part I + Lines
1-4, Part II):

7. Number of Days of
Violation:

8. Multi-day Penalty
(Number of days x
Line 6, Part II):

9. Economic Benefit of
Noncompliance:

Justification:

10. Total (Lines 8 + 9, Part II):

11. Ability to Pay Adjustment:

Justification for
Adjustment:

12. Total Penalty Amount
(must not exceed \$25,000
per day of violation):
